

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

BRENDA DAVIS and
FREDERICK STUFFLEBEAN,

Plaintiffs,

vs.

BUCHANAN COUNTY, MISSOURI, *et al.*,

Defendants.

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Case No. 5:17-CV-06058-CV-SJ-NKL

APPLICATION FOR APPROVAL OF WRONGFUL DEATH SETTLEMENT

COME NOW the Plaintiffs above named, by and through counsel, and state to the Court:

1. That the decedent, Justin Stufflebean, died on November 16, 2015, while in the custody of the Missouri Department of Corrections, all more particularly described in Plaintiffs' First Amended Complaint [Doc. No. 414].

2. That pursuant to section 537.080, RSMo., Plaintiffs are members of the class of persons that are entitled to bring this cause of action for the alleged wrongful death of the decedent, Justin Stufflebean, and they are the only persons entitled to a recovery for damages arising out this action.

3. That plaintiffs have heretofore accepted a settlement offer from Defendant Buchanan County, Missouri, and its insurance company, in the total amount of \$10,000.00 which needs to be apportioned and approved by this Court.

4. That plaintiffs have heretofore accepted a settlement offer from Defendants Corizon, LLC, Karen Williams and Michelle Munger and their insurance company for amounts enumerated in the Confidential Settlement Agreement and General Release, provided to the Court *in camera*, all of which needs to be apportioned by this Court.

5. That plaintiffs have heretofore accepted a settlement offer from Defendants Advanced Correctional Healthcare, Inc., Inc., Catherine M. Van Voorn, M.D., Ann Marie Slagle,

LPN and April Helsel, LPN and their insurance company for amounts enumerated in the Confidential Settlement Agreement and General Release, provided to the Court *in camera*, all of which needs to be apportioned by this Court.

6. That plaintiffs have heretofore accepted settlement offers from Defendants Frederick Covillo and Alice Bergman and their insurance company for amounts enumerated in the Confidential Settlement Agreement and General Release, provided to the Court *in camera*, which was submitted for approval and apportionment in a hearing on May 25, 2022.

7. That plaintiffs have heretofore accepted a non-confidential settlement offer from Defendant Dustin Nauman and his insurance company for \$150,000.00 which was submitted for approval and apportionment in a hearing on May 25, 2022.

8. That plaintiffs represent and state to the Court that, under all of the circumstances, the proposed settlement is in their best interest and plaintiffs request the Court's approval of this proposed settlement, and to authorize plaintiffs to execute a Release and Satisfaction of Judgment in this cause.

WHEREFORE, the premises considered, Plaintiffs request the Court to approve their Application for Approval of Wrongful Death Settlement and for such other and further relief as to this Court deems necessary and just in the premises.

/s/William W. Bird

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Attorney for Plaintiff Fred Stufflebean

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above and foregoing has been served on all counsel of record this 1st day of June, 2022 using the procedures of the courts ECF Filing System.

/s/William W. Bird

WILLIAM W. BIRD